



## SENIOR & LONG TERM CARE DIVISION COMMUNITY SERVICES BUREAU

### HOME AND COMMUNITY BASED WAIVER Policy Manual

### Section: ELIGIBILITY FOR SERVICES

### ➤ Subject: Advance Notice

**Reference: ARM 37.40.1408**

### PURPOSE

The purpose of the Advance Notice policy is to ensure members receive accurate and timely notice of changes in member services with the Big Sky Waiver.

### DEFINITION

The definition of an adverse action is an action intended to discontinue, terminate, suspend or decrease a service currently being received.

### ADVANCE NOTICE

The Case Management Team (CMT) must send advance written notice 10 days prior to the date of adverse action when Big Sky Waiver services are terminated for any of the following reasons:

1. The plan of care costs exceed the maximum limit; or
2. One of the other reasons listed below:
3. A determination by the CMT or Community Services Bureau (CSB) that the services, as provided for in the service plan, are no longer appropriate or effective in relation to the member's needs;
  - b. The failure of the member to use the services as provided for in the service plan;
  - c. The behaviors of the member create serious risk to the member, caregivers or others or substantially impede the delivery of services as provided for in the service plan;
  - d. The health of the member is deteriorating or in some other manner placing the member at serious risk of harm;
  - e. A determination by the CMT that the service providers necessary to the delivery of services as provided for in the service plan are unavailable; or
  - f. A determination that the total cost of service plan is not

within the limits authorized.

NOTE: Termination for adverse action (Section E of the SLTC-144) must be prior approved by the RPO.

**EXCEPTIONS**

Terminations for the reasons listed below do not require advance notice, or RPO approval, but require the CMT to complete a SLTC-144:

1. The member is admitted to a nursing facility, hospital or Transitional Care Unit (TCU).

NOTE: If a member is absent from services less than 30 days, due to an admission to a hospital, nursing facility, or TCU, the CMT is not required to terminate or submit a MA-55 to the Office of Public Assistance (OPA). The CMT must send written communication to OPA indicating the member has been admitted to a nursing facility, hospital, or TCU, and that the waiver span should remain open because the institutional placement is temporary.

2. The member requests in writing that services be terminated or refuses to sign the service plan; and/or
3. Termination of a medically needy member from Big Sky Waiver because of failure to pay incurment.